

REMARKS

Claim Status

Claims 1-27 and 29-37 remain pending in the present application.

Claims 1, 5, 8-12, 14, 16, 21, 26 and 32-36 have been amended in an editorial fashion and not in response to the art or any formal requirement. For example, the terms “the steps of” (e.g., claim 1) and “step” (e.g., claim 5) have been removed. And the term “a” has been removed from claim 21.

Claim 26 has been amended to include the features of now canceled claim 28.

Claim 38 is canceled without prejudice and without conceding the priority of the rejection. We reserve the right to represent this and similar claims in one or more continuing applications.

Specification Amendments

The specification has been amended to include patent and publication numbers.

Art-Based Rejections

The pending claims stand rejected over U.S. Patent No. 6,801,999 (hereafter referred to as “the Venkatesan patent”). We expressly traverse these rejections.

Claim 1

The Venkatesan patent fails to teach or suggest the combination recited in claim 1.

For example, claim 1 recites “*at the user terminal, extracting identifying data from the digital watermark, and providing the identifying data to a central computer.*”

The Office Action cites the Venkatesan patent at Col. 5, lines 30-32 and Col. 11, lines 29-30 as teaching this element.

We respectfully disagree.

The cited Col. 5 passage discusses downloading a protected object, but not extracting identifying data from a digital watermark, and providing data to a central computer. The cited Col. 11 passage is similarly deficient because it discusses a DRM

system to inhibit a user from accessing an object file, and not extracting and providing identifying data to the central computer.

Claim 1 also recites a “*pointer*” and communicating with a website via the pointer.

The cited passages (i.e., Col. 13, lines 31-35 and 55-59 and Col. 17, lines 9-12) seem to envision a pointer that points to or addresses within content itself (see, e.g., Col. 64-67), and not a pointer to help facilitate communication with a website.

We respectfully submit that claim 1 should be allowed.

Claim 14

The Venkatesan patent fails to teach or suggest the combination recited in claim 14.

For example, claim 14 recites “*receiving a request to enter the system, the request including at least a verification key,*” in combination with the remaining features of the claim.

The cited passages of the Venkatesan patent discuss requesting a file download (i.e., Col. 21, lines 55-56) and, *separately*, seeding a cryptographically secure number generator to provide different watermark keys (i.e., Col. 27, lines 10-13).

These passages do not discuss receiving a request to enter a system, where the *request includes* a verification key. For example, these passages do not discuss that the different watermark keys are provided to allow the file download.

We respectfully submit that claim 14 should be allowed.

Claim 22

The Venkatesan patent fails to teach or suggest the combination recited in claim 22.

For example, claim 22 recites “a user terminal communicates *an extracted watermark identifier* to said central server.”

But the cited the Venkatesan patent passage fails to adequately address this element.

The cite passage (i.e., Col. 23, lines 45-51), in contrast, discusses an encrypted, fingerprinted and watermarked object. There is no discussion about a communicated, *extracted* watermark identifier, in combination with remaining features of claim 22.

We respectfully submit that claim 22 should be allowed.

Claim 26

The Venkatesan patent fails to teach or suggest the combination recited in claim 26.

For example, claim 26 recites “*identifying a pointer associated with the document identifier, wherein the pointer comprises at least one of a URL, IP address and web address.*”

The cited the Venkatesan patent passage fails to adequately address this element.

The pointer discussed in the cited passage deals with addressing within a content item itself (e.g., Col. 13, lines 62-67), not accessing a website or other network resource via a URL, IP address or web address.

We respectfully submit that claim 26 should be allowed.

Remaining claims

The dependent claims are also believed to be patentable in their own right. Favorable reconsideration is requested.

Information Disclosure Statement

An Information Disclosure Statement (IDS) and Form-1449 are filed concurrently herewith. Consideration of the information disclosed therein is respectfully requested.

Conclusion

The application is believed to be in condition for allowance. An early notice of allowance is respectfully requested. (Applicants need not belabor the other shortcomings of the art at this time.).

Nevertheless, the Examiner is invited to telephone the undersigned at 503-469-4685 if any issue remains.

Date: April 11, 2005

Respectfully submitted,

Customer No. 23735

DIGIMARC CORPORATION

Phone: 503-469-4685

FAX: 503-469-4777

By

A handwritten signature in black ink, appearing to read 'St SL', written over a horizontal line.

Steven W. Stewart

Registration No. 45,133